

S U M M A R Y

This proposed ordinance amends Chapter 14 of the 1984 Detroit City Code, *Community Development*, by adding **ARTICLE IX. COMMUNITY ADVISORY COUNCILS;** DIVISION 1. IN GENERAL; CREATION AND DISSOLUTION OF COMMUNITY ADVISORY COUNCILS, Sections 14-9-1 through 14-9-7; DIVISION 2. OPERATION OF COMMUNITY ADVISORY COUNCILS; RULES AND PROCEDURES; *Subdivision A. Members and Officers*, Sections 14-9-11 through 14-9-19; and *Subdivision B. Meetings and Records*, Sections 14-9-21 through 14-9-29, to implement the provisions of Article 9, Chapter 1 of the 2012 Detroit City Charter regarding procedures for the creation and operation of Community Advisory Councils.

1 **BY COUNCIL MEMBER _____:**

2 **AN ORDINANCE** to amend Chapter 14 of the 1984 Detroit City Code, *Community*
3 *Development*, by adding **ARTICLE IX. COMMUNITY ADVISORY COUNCILS;**
4 **DIVISION 1. IN GENERAL; CREATION AND DISSOLUTION OF COMMUNITY**
5 **ADVISORY COUNCILS,** Sections 14-9-1 through 14-9-7; **DIVISION 2. OPERATION OF**
6 **COMMUNITY ADVISORY COUNCILS; RULES AND PROCEDURES;** *Subdivision A.*
7 *Members and Officers,* Sections 14-9-11 through 14-9-19; and *Subdivision B. Meetings and*
8 *Records,* Sections 14-9-21 through 14-9-29, to implement the provisions of Article 9, Chapter 1
9 of the 2012 Detroit City Charter regarding procedures for the creation and operation of
10 Community Advisory Councils.

11 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

12 **Section 1.** Chapter 14 of the Detroit City Code is amended to reads as follows:

13 **CHAPTER 14. COMMUNITY DEVELOPMENT**

14 **ARTICLE IX. COMMUNITY ADVISORY COUNCILS**

15 **DIVISION 1. IN GENERAL; CREATION AND DISSOLUTION OF COMMUNITY**

16 **ADVISORY COUNCILS**

17 **Sec. 14-9-1. Purpose.**

18 According to Section 9-101 of the 2012 Detroit City Charter, the purpose of Community
19 Advisory Councils is to improve citizen access to the city government. Direct citizen participation
20 in government in a formal and institutionalized manner is considered an effective means to achieve
21 community objectives and improve the overall condition of a city.

22 **Sec. 14-9-2. Designation of districts.**

23 District boundaries created by this section shall be the same as the seven (7) non at-large

1 districts of the Detroit City Council as required to be drawn in accordance with the Home Rule City
2 Act, MCL 117.27a, and other applicable law.

3 **Sec. 14-9-3. Petition to establish individual districts.**

4 (a) Petitions to establish each of the seven (7) community advisory districts shall be signed
5 by a number of qualified registered voters who are residents of a district equal to not less than ten
6 percent (10%) of the number of persons voting at the last municipal general election in the district.

7 (b) Petitions shall be on the form provided by the Department of Elections for this
8 purpose.

9 (c) Upon receipt of the requisite number of petitions, as determined in subsection (a) of this
10 section, and canvass of the petitions by the Department of Elections to establish their sufficiency,
11 City Council shall pass an ordinance to establish each of the seven (7) Community Advisory
12 Councils as they have received complete and sufficient petitions to do so.

13 **Sec. 14-9-4. Dissolution.**

14 A particular Community Advisory Council shall be dissolved only by a petition signed by a
15 number of qualified registered voters who are residents of a district equal to not less than ten
16 percent (10%) of the number of persons voting at the last municipal general election in the district,
17 and an ordinance adopted after public hearing by City Council with public notice to the Community
18 Advisory Council district in question.

19 **Sec. 14-9-5. Appropriations.**

20 Community Advisory Councils shall receive no appropriations from city funds, but may
21 accept donations or grants in accordance with federal, state, or local law.

22 **Sec. 14-9-6. Powers and Duties of Community Advisory Councils.**

23 In accordance with Section 9-103 of the 2012 Detroit City Charter, the powers and duties of

1 a Community Advisory Council shall include:

2 (a) Communicating to City Council the concerns of groups, agencies, businesses and
3 residents within its districts with respect to the delivery of programs and services.

4 (b) Assisting groups, agencies, businesses and residents in community problem solving by
5 meeting with groups to:

6 1. Clarify issues; and

7 2. Demonstrate proper procedural approaches to accessing city government.

8 (c) Disseminating information to groups, agencies, businesses and residents on social and
9 physical plans for the districts areas.

10 (d) Providing advice to community representatives and City Council on major issues within
11 the council district which may include:

12 1. Housing development;

13 2. Commercial blight;

14 3. Safety and security;

15 4. Economic and community development;

16 5. Employment opportunities;

17 6. Code enforcement; and

18 7. Other concerns impacting social, economic, cultural and environmental conditions
19 within the district.

20 (e) Familiarizing themselves with the City Charter, with the objective of assisting the
21 community in understanding the intent and relevance of Charter provisions.

22 (f) Familiarizing themselves with the Master Plan for the City of Detroit in relationship to
23 the City generally and the land area within their district generally.

1 (g) Meeting annually with the Mayor and annually with City Council to discuss the challenges
2 confronting the district and the resources required to advance the interest and support the viability
3 of the district.

4 **Sec. 14-9-7. Prior consultation from Community Advisory Councils.**

5 In accordance with Section 9-103 of the 2012 Detroit City Charter, a Community Advisory
6 Council may require that the City Council representative for that district receive prior consultation
7 from the Community Advisory Council on issues that relate exclusively to that district.

8 **Secs. 14-9-8 – 14-9-10. Reserved.**

9 **DIVISION 2. OPERATION OF COMMUNITY ADVISORY COUNCILS; RULES**
10 **AND PROCEDURES**

11 ***Subdivision A. Members And Officers***

12 **Sec. 14-9-11. Composition of Community Advisory Councils.**

13 Each Community Advisory Council shall consist of seven (7) Members, selected as follows:

- 14 1. Five (5) members elected from a single non at-large district who shall be residents
15 and qualified registered voters of the district;
- 16 2. One appointed (1) youth member between the ages of thirteen (13) and seventeen
17 (17); and
- 18 3. One (1) appointed member selected as a representative for senior issues.

19 **Sec. 14-9-12. Elected members and terms.**

20 (a) Candidates for the elected Member positions shall be nominated by petition in accordance with
21 Section 3-109 of the 2012 Detroit City Charter in the same manner as candidates for the office of
22 district-elected Police Commissioners.

23 (b) The initial election after establishment of a Community Advisory Council pursuant to

1 Section 14-9-3(c) shall be held at the next General Election in the City, as defined in Sec 2-105.A18
2 of the 2012 Detroit City Charter. The five members elected at that election shall take office at noon
3 on the first day of the second month after the election, and shall serve until noon, January 1
4 following the next regular city general election, as defined in Sec 3-105 of the 2012 Detroit City
5 Charter.

6 (c) All subsequent elections shall take place at the regular city general election, and elected
7 members shall serve four (4) year terms until January 1 following the next regular city general
8 election. Notwithstanding election to an initial term of less than four (4) years, an elected member
9 may not be elected to more than two (2) consecutive four (4) year terms.

10 (d) Vacancies in elected positions shall be filled by election in the same manner as in
11 subsection (b). The vacancy shall be filled by appointment in the same manner as for the Senior
12 Issues Member, but only until the member elected to fill the vacancy takes office.

13 **Sec. 14-9-13. Appointed members; terms; and excessive absences.**

14 (a) There shall be two (2) Members appointed to the Community Advisory Council by the
15 City Council Member elected to represent that district:

16 (1) The Senior Issues Member who will serve one four (4) year term and may be
17 reappointed; and

18 (2) The Youth Member who will serve a one (1) year term and may be reappointed for
19 as long as the person meets the age requirement as determined at the beginning of
20 each term. Reappointment of the Youth Member shall be for one (1) year terms.

21 (b) Terms of the Senior Issues Member and the Youth Member shall commence at the same
22 time as the terms of the elected Members.

23 (c) Vacancies in either of the appointed Member positions shall be filled for the unexpired

1 term of the original appointment, in the same manner as the original appointment.

2 (d) Absence from three (3) consecutively scheduled meetings, without notifying the
3 Chairperson prior to the beginning of the scheduled meetings and requesting an excused absence,
4 shall be cause for removal.

5 **14-9-14. Conflicts of Interest.**

6 A Community Advisory Council Member who has a conflict between a personal interest and
7 the public interest as defined by Michigan law, the 2012 Detroit City Charter, or the 1984 Detroit
8 City Code, shall fully disclose the nature of the conflict to the Community Advisory Council. Where
9 a Community Advisory Council Member has a substantial financial interest in any contract with the
10 City or in the sale of any land, materials, supplies or services to the City or to a contractor supplying
11 the City, the Member shall make known that interest and shall refrain from voting upon or
12 otherwise participating in the deliberations on said matter. Where a conflict exists, after orally
13 notifying the Community Advisory Council on the record of the conflict, a Member may not
14 participate in, act upon, or vote upon the matter.

15 **Sec. 14-9-15. Compensation.**

16 All members of the Community Advisory Council serve without compensation.

17 **Sec. 14-9-16. Officers; Number.**

18 The Community Advisory Council shall have three (3) officers: Chairperson, Vice
19 Chairperson, and Secretary.

20 **Sec. 14-9-17. Nominations and elections of officers.**

21 The Community Advisory Council shall nominate and elect its officers from within its
22 membership on an annual basis within the first quarter of each new calendar year.

23 **Sec. 14-9-18. Term of officers.**

The Chairperson, Vice Chairperson, and Secretary shall take office immediately following their election and shall hold office for a term of one (1) year, or until their successors are elected and assume office.

Sec. 14-9-19. Duties of officers.

(a) The Chairperson shall:

- (1) Preside at all meetings, when present;
- (2) Execute all documents relating to Community Advisory Council policy or designate such responsibility as warranted;
- (3) Prepare the initial agenda for each meeting; and
- (4) Perform any other agenda duties as directed by the Community Advisory Council.

(b) The Vice-Chairperson shall act in the capacity of the Chairperson in the Chairperson's absence. In the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Secretary shall succeed the Vice-Chairperson in like manner.

(c) The Secretary shall discharge such duties as prescribed for the Secretary by “Robert’s Rules of Order-Newly Revised,” except where staff is available to perform them. The Secretary shall maintain the Community Advisory Council records, including notices for and minutes of meetings and hearings. The Secretary shall act in the capacity of the Vice-Chairperson in the Vice-Chairperson’s absence. In the event the office of the Vice-Chairperson becomes vacant, the Secretary shall succeed to this office for the unexpired term. The Community Advisory Council shall elect a successor to the office of Secretary for the unexpired term.

Sec. 14-9-20. Reserved.

Subdivision B. Meetings and Records

1 **Sec. 14-9-21. City Council participation.**

2 (a) The City Council member elected from the non at-large district in which a Community
3 Advisory Council is located, or his or her designee, shall attend all official meetings of that
4 Community Advisory Council.

5 (b) The City Council member elected from the non at-large district in which a Community
6 Advisory Council is located, or his or her designee, shall receive prior consultation from the
7 Community Advisory Council on all issues which relate exclusively to that district.

8 **Sec. 14-9-22. Regular Meetings.**

9 The Community Advisory Council shall hold public meetings not less than four (4) times
10 each year. The meetings shall be held in donated facilities with an attempt to provide a broad
11 geographic distribution of meeting locations. A schedule of meetings shall be adopted annually. The
12 Secretary shall confer with the City Clerk prior to the adoption of the schedule of meetings in order
13 to avoid conflicts with City Council meetings. To the extent feasible, meetings shall be held at times
14 and locations convenient for all Community Advisory Council Members, taking into consideration
15 any special requirements for the Youth Member.

16 **Sec. 14-9-23. Special Meetings.**

17 Special meetings of the Commission shall be called at the request of the Chairperson or
18 three (3) members of the Commission. Notice of special meetings shall be given at least forty-eight
19 (48) hours prior to such meetings and shall state the purpose, date, time, and place of the meeting.
20 Special meetings shall be held in accordance with Section 8 of the Michigan Open Meetings Act,
21 (MCL 15. 268).

22 **Sec. 14-9-24. Closed meetings.**

23 (a) Under Section 8 of the Michigan Open Meetings Act, MCL 15.268, the Community

1 Advisory Council may go into closed session only for certain specified exceptions.

2 (b) Upon written request or the advice of the Law Department or City Council Legislative
3 Policy Division that an agenda item falls under one of the exceptions under Section 8 of the
4 Michigan Open Meetings Act, MCL 15.268(a) through (h), the Chairperson shall call for a roll call
5 vote to go into closed session. Upon attaining a quorum of members serving, the portion of the
6 meeting subject to the exception enumerated in the Michigan Open Meetings Act shall be closed to
7 the public.

8 (c) The Secretary, or designee of the Chairperson, shall act as recording Secretary during a
9 closed session. In accordance with Section 7 of the Michigan Open Meetings Act, MCL 15.267, the
10 minutes of all closed meetings shall be kept in the office of designated staff for one (1) year and a
11 day.

12 **Sec. 14-9-25. Quorum of the Community Advisory Council.**

13 A four (4) member majority shall constitute a quorum of the members serving for the taking
14 of official action at regular and special meetings of the Community Advisory Council. Those
15 Community Advisory Council members present may function as a committee of the whole in order
16 to conduct the meeting, but no action shall be taken until a quorum has been constituted.

17 **Sec. 14-9-26. Meeting agenda**

18 (a) The Chairperson shall prepare, in conjunction with designated staff, an agenda for each
19 meeting utilizing the following format:

20 I. Call to Order and Roll Call

21 II. Adoption of Agenda

22 III. Approval of Minutes

23 IV. Presentations, Hearings, and Discussions

1 V. Unfinished Business

2 VI. New Business

3 VII. Reports

4 VIII. Public Comment

5 IX. Adjournment”

6 (b) To the extent practicable, the agenda package shall be hand-delivered, mailed via first
7 class mail, or sent via e-mail to each Community Advisory Council Member at least four (4) days
8 prior to the meeting. The package shall contain sufficient information and reports so that
9 Community Advisory Council members have the opportunity to obtain a working knowledge of
10 each item appearing on the agenda.

11 (c) Changes to the agenda may be proposed by staff after discussion with, and concurrence
12 by, the Chairperson. The agenda may be amended at the Community Advisory Council meeting by
13 action of the Community Advisory Council.

14 **Sec. 14-9-27. Parliamentary procedure.**

15 Parliamentary procedure in Community Advisory Council meetings shall be governed by
16 Robert’s Rules of Order, Newly Revised.

17 **Sec. 14-9-28. Other hearings and public discussions.**

18 The Community Advisory Council may schedule hearings and discussions on any topic or
19 item the Community Advisory Council deems appropriate regarding a topic or item about which the
20 Community Advisory Council desires to become better informed, or regarding a topic or an item on
21 which formal action may be required.

22 **Sec. 14-9-29. Public Participation; Compliance with Open Meetings Act and Freedom of**
23 **Information Act.**

1 In accordance with the purposes of Community Advisory Councils, public participation is to
2 be encouraged. Public comment shall be a part of every meeting of the of the Community Advisory
3 Council. All meetings of the Community Advisory Council and hearings shall be open to the public,
4 and noticed and conducted in compliance with the Michigan Open Meetings Act, 1976 PA 267,
5 MCL 15.261 et seq. Records of the Community Advisory Council shall be made available in
6 accordance with the Michigan Freedom of Information Act, 1976 PA 442, MCL 15.231 et seq.

7 **Sec. 14-9-30. Reserved.**

8 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,
9 health, safety, and welfare of the People of the City of Detroit.

10 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
11 repealed.

12 **Section 4.** Where this ordinance is passed by a two-thirds (2/3) majority of City Council
13 Members serving, it shall be given immediate effect and shall become effective upon publication
14 in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is
15 passed by less than two-thirds (2/3) majority of City Council Members serving, it shall become
16 effective thirty (30) days after publication in accordance with Section 4-118(2) of the 2012
17 Detroit City Charter.

Approved as to form:

Melvin Butch Hollowell, Jr.
Corporation Counsel